

IN RE: PETITION FOR ADMIN. VARIANCE
S/S Fairgreen Road, 321' E of
the c/l of Louth Road
(7813 Fairgreen Road)
12th Election District
7th Councilmanic District

Ralph G. Matthews, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-159-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter came before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 7813 Fairgreen Road, located in the vicinity of Sollers Point Road in Dundalk. The Petition was filed by the owners of the property, Ralph G. and Elizabeth M. Matthews. The Petitioners seek relief from Section 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 2 feet in lieu of the required 7.5 feet for an open projection (carport replacement). The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affida-

ORDER RECEIVED FOR FILING

Date

By

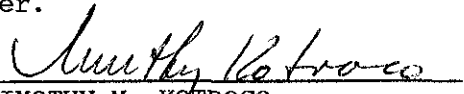
MICROFILMED

vits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 16th day of November, 1996 that the Petition for Administrative Variance seek relief from Section 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 2 feet in lieu of the required 7.5 feet for an open projection (carport replacement), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The proposed new carport shall remain open on the three exposed sides and shall not be enclosed in any manner.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

November 6, 1996

Mr. & Mrs. Ralph G. Matthews
7813 Fairgreen Road
Baltimore, Maryland 21222

RE: PETITION FOR ADMINISTRATIVE VARIANCE
S/S Fairgreen Road, 321' E of the c/l of Louth Road
(7813 Fairgreen Road)
12th Election District - 7th Councilmanic District
Ralph G. Matthews, et ux - Petitioners
Case No. 97-159-A

Dear Mr. & Mrs. Matthews:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File

RECEIVED



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7813 FAIRGREEN Rd

which is presently zoned DRS-5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 301.1A

TO ALLOW A NEW OPEN PROJECTION - (CARPORT), A
SETBACK OF 2' IN LIEU OF REQUIRED 7.5'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

In 1963, because of extremely difficult parking we had a carport built on the side of our home to alleviate the problem. Over the past several years, cars have been struck while parked on our front street.

Over the past 33 yrs. the carport deteriorated, to the point it became an eyesore to the neighborhood and a safety hazard to my family, & visitors.

The above conditions still exist & my wife & I have since developed - over-Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Name, Address and phone number of representative to be contacted, if:

Name

Address

Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____ 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: CAM

DATE: 4 Oct 96

ESTIMATED POSTING DATE: 10.13 96



Printed with Soybean Ink
on Recycled Paper

ITEM #: 159

ORDER RECEIVED FOR FILING

Date

By

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 7813 FAIRGREEN RD
address

BALTIMORE Md. 21222
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

disabilities, causing me to obtain a disability placard from MVA.

The convenience of parking close to the house, and under my carport, is also a necessity.

I'm now seeking a variance, to allow me to replace the carport, & add an additional 4' roof to protrude from the front roof of my home.

Considering crime problems in and about our neighborhood & surrounding areas, we feel much safer being able to park on our property.

We respectfully submit the combined above reasons, for your consideration in allowing us a variance, and granting us a permit.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Ralph G. Matthews
(signature)

Ralph G. Matthews
(type or print name)



Elizabeth M. Matthews
(signature)

ELIZABETH M. MATTHEWS
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

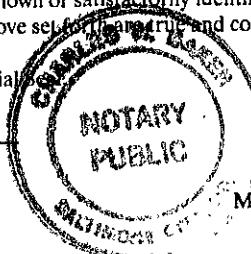
I HEREBY CERTIFY, this 17th day of Sept, 19 96, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

RALPH G. MATTHEWS AND ELIZABETH M. MATTHEWS

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial

9-17-96
date



Charles W. Baker
NOTARY PUBLIC

CHARLES W. BAKER
My Commission Expires: 9-1-99

ZONING DESCRIPTION FOR: 7813 FAIRGREEN Rd.

BEGINNING AT A POINT ON THE SOUTH Side of

FAIRGREEN Rd. WHICH IS 50' WIDE AT THE
DISTANCE OF 321' EAST OF THE CENTERLINE OF

THE NEAREST IMPROVED INTERSECTING STREET - LOUTH Rd.
WHICH IS 50' WIDE - BEING LOT[#] 7 - BLOCK 2⁽²⁾

SE IN THE SUBDIVISION OF PLAT[#] 7 DUNDALK, AS
RECORDED IN, BALTIMORE COUNTY PLAT BOOK[#] 13, Folio[#] 22
CONTAINING 5300^{sq} SQUARE FT. OF ACRES, ALSO KNOWN AS
7813 FAIRGREEN ROAD, AND LOCATED IN THE 12TH ELECTION
DISTRICT, 7TH COUNCILMANIC DISTRICT

MICROFILMED

159

No. 02635

DATE	ACCOUNT	AMOUNT \$
40000	159	50.00

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842

FROM: FINANCIAL
FOR: 813 FARGATE CDD
MICROFILME

FOR:-

24

..... POSITION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighbors property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 159 Petitioner: Ralph G. Matthews

Location: 7813 FAIRGREEN Rd.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Ralph Matthews

ADDRESS: 7813 FAIRGREEN Rd
Baltimore MD 21222

PHONE NUMBER: 36-2411

MICROFILMED



Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: _____

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____

plat book # _____, folio # _____, lot # _____, section # _____

OWNER: _____



North

date: _____
prepared by: _____

Scale of Drawing: 1" = _____



Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

Election District: _____

Councilmanic District: _____

1"=200' scale map#: _____

Zoning: _____

Lot size: _____
acres square feet

public private
SEWER: ☐ ☐
WATER: ☐ ☐

Chesapeake Bay Critical Area: ☐ yes ☐ no
Prior Zoning Hearings: _____

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____

CERTIFICATE OF POSTING

RE: Case No.: 97-159-A

Petitioner/Developer: _____

Mr. Ralph G. Matthews

Date of Hearing/Closing: Oct 28, 1996

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 7813 Fairgreen Rd,
Baltimore, MD 21222

The sign(s) were posted on 10/6/96
(Month, Day, Year)



Sincerely,

Sue W. McKenzie
(Signature of Sign Poster and Date)

Sue W. McKenzie
(Printed Name)

6 Topwood Court
(Address)

Baltimore, MD 21234
(City, State, Zip Code)

(410) 668-8576
(Telephone Number)

Case #159
Mr. Ralph Matthews.

MICROFILMED

Request for Zoning: Administrative Variance

13

Date to be Posted: Anytime before but no later than

~~10~~ Oct 96 C.M.H.

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 97-159-A

To Allow A New open projection
(carport), A setback of 2' in lieu of
the Required 7.5'

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING
CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON

28 Oct 1996

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 10, 1996

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-159-A (Item 159)
7813 Fairgreen Road
S/S Fairgreen Road, 321' E of c/l Louth Road
12th Election District - 7th Councilmanic
Legal Owner(s): Ralph G. Matthews and Elizabeth Matthews
Post by Date: 10/13/96
Closing Date: 10/28/96

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Ralph and Elizabeth Matthews

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 14, 1996

Mr. and Mrs. Ralph Matthews
7813 Fairgreen Road
Baltimore, MD 21222

RE: Item No.: 159
Case No.: 97-159-A
Petitioner: Ralph Matthews, et ux

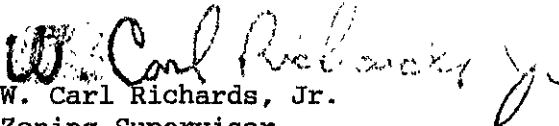
Dear Mr. and Mrs. Matthews:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 10, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

MICROFILMED



Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 10/10/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF OCT. 10, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 149, 150, 151, 152, 153, 154,
155, 156, 158, 159 and 160.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

10/10/96



B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Permits and Development
 Management

DATE: October 10, 1996

FROM: Pat Keller, Director
 Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 115, 149, 151, 153, 154, 156, 158, and 159

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

PK/JL



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 159 (C.A.M.)
10.24.96

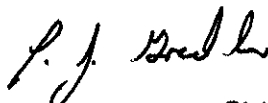
Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,


for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

MICROFILMED

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 - Baltimore, MD 21203-0717
Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: October 25, 1996

FROM: *pub* Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for October 21, 1996
Item Nos. 151, 153, 154, 155, 156,
158, 159, and 160

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE33

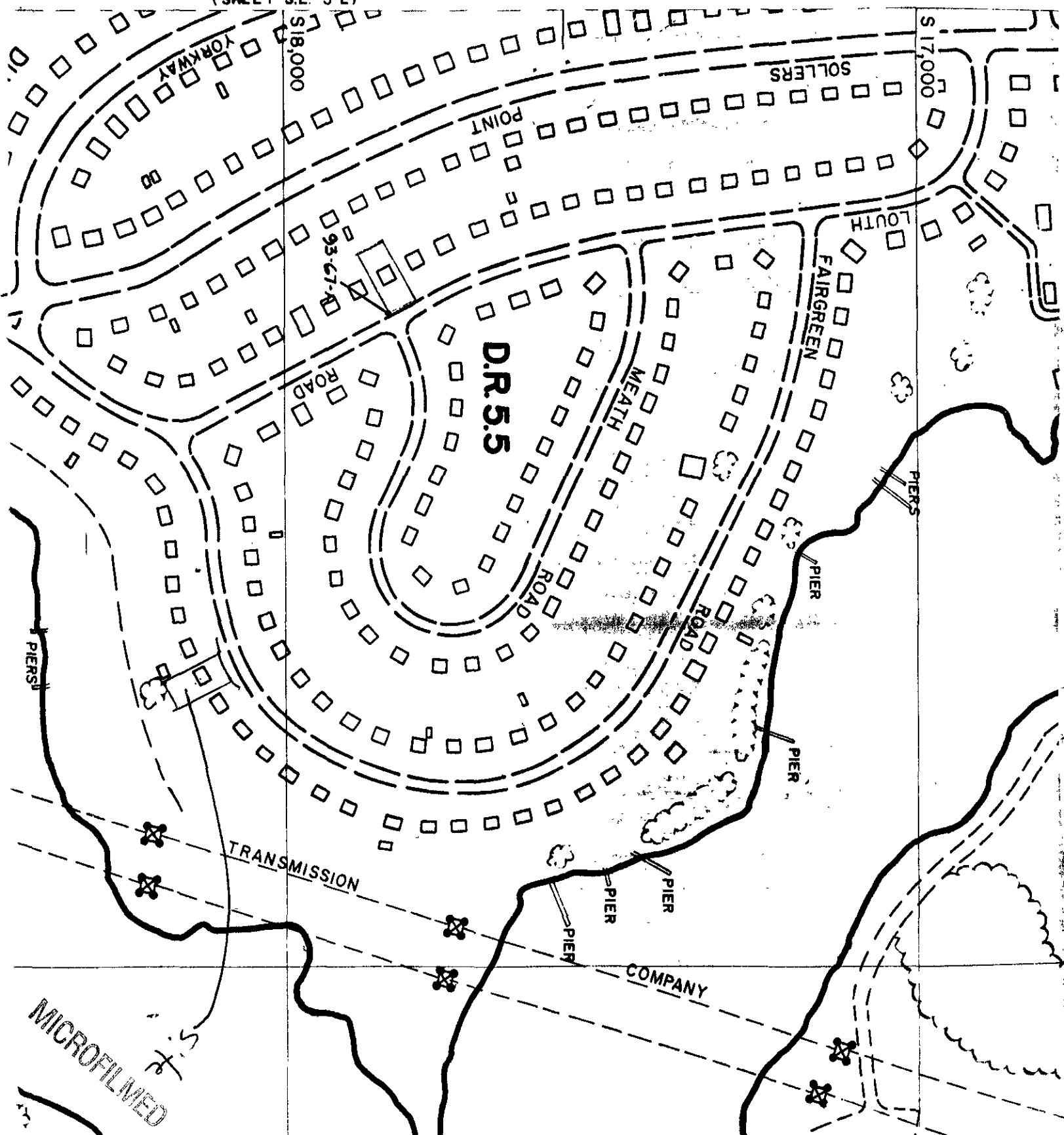
MICROFILMED

SE 5 F
1"=200'

SE 5 F

651

(SHEET S.E.-5-E)



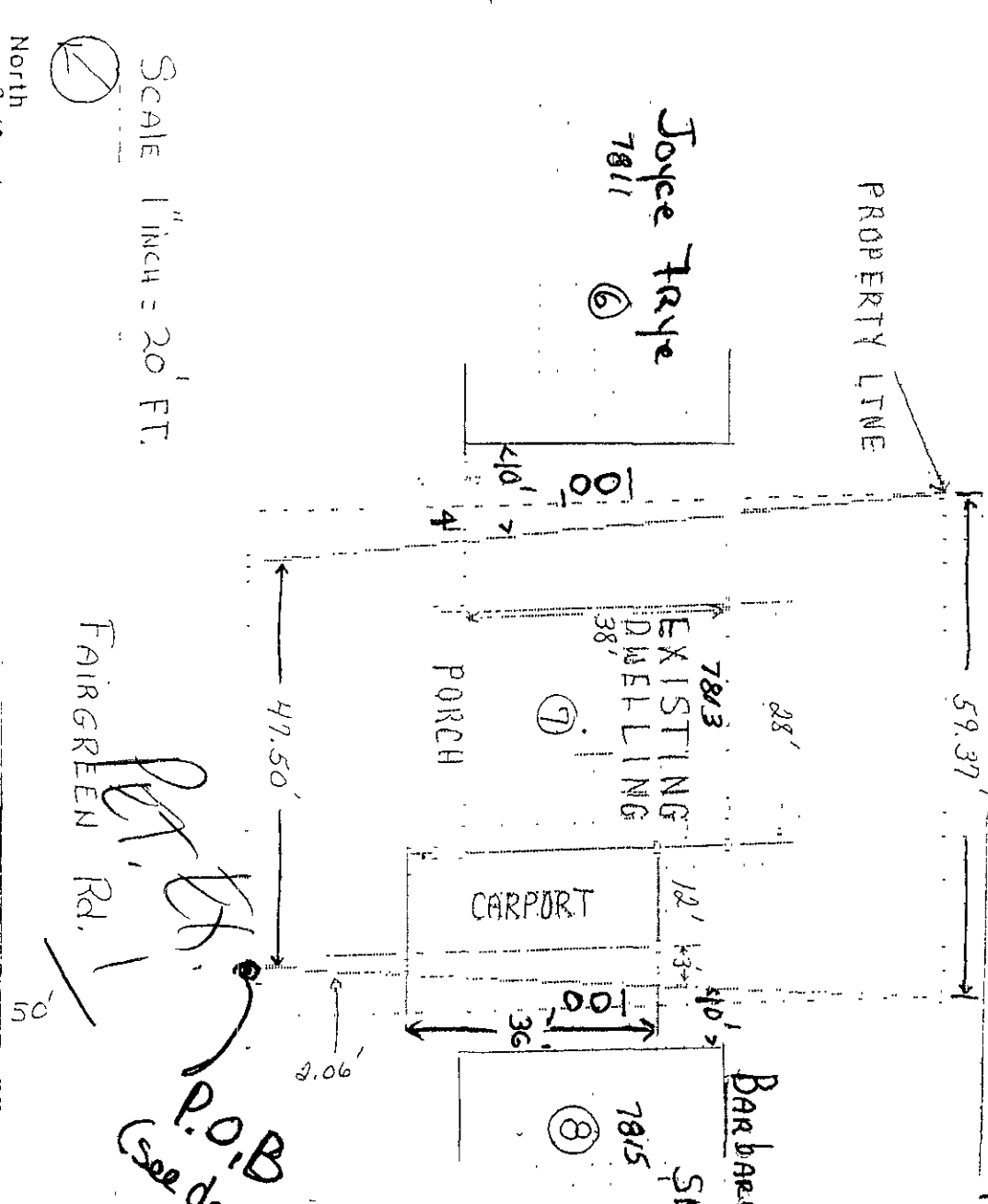
Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 7813 FAIRGREEN Rd. see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Dundalk

plat book # 13, folio # 22, lot # 7, ~~block~~ 2

OWNER: Raida + Elizabeth Matthews **Plat 7**



Scale 1" inch = 20' FT.



North

date: 9-18-96

prepared by: Ralph Matthews Scale of Drawing: 1" = 20' **Flood Zone**

LOCATION INFORMATION

Election District: 12

Councilmanic District: 7

1"=200' scale map#:

Zoning: DE5.5

lot size: 12 **5300**

acreage square feet

public private

SEWER: ☒ ☐

WATER: ☒ ☐

Chesapeake Bay Critical Area: ☒ ☐

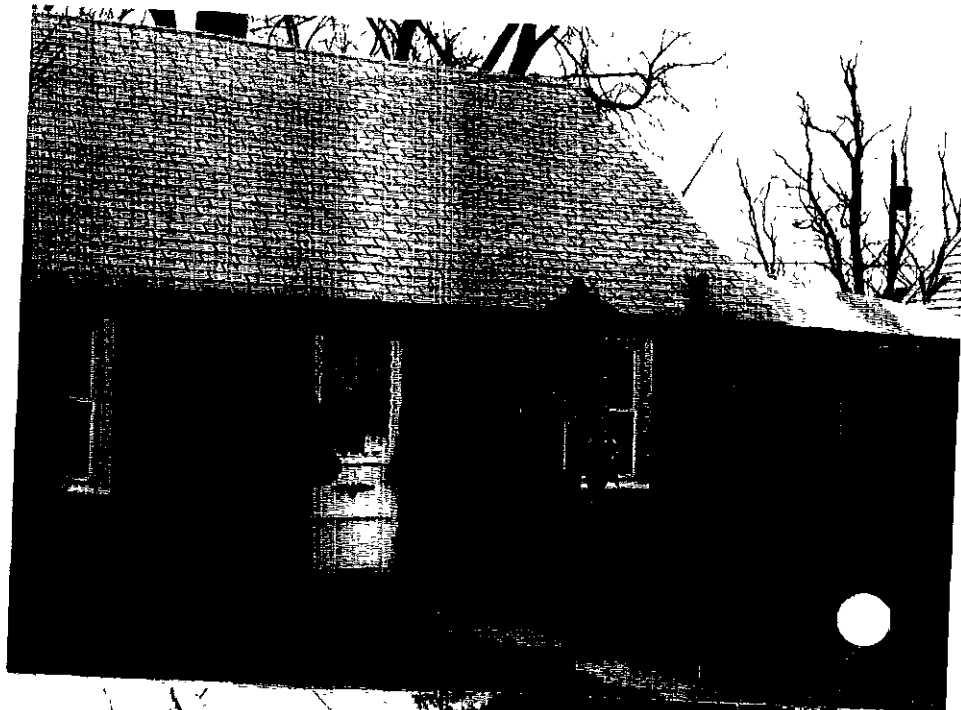
Prior Zoning Hearings:

NONE KNOWN

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

159





BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	DUNDALK	S. E.
DATE OF PHOTOGRAPHY	SOLLERS POINT	MICROFILMED ^{5-F}
JANUARY		
1986		

IN RE: PETITION FOR ADMIN. VARIANCE
S/S Fairgreen Road, 321' E of
the c/l of Louth Road
(7813 Fairgreen Road)
12th Election District
7th Councilmanic District
Ralph G. Matthews, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-159-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter came before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 7813 Fairgreen Road, located in the vicinity of Sollers Point Road in Dundalk. The Petition was filed by the owners of the property, Ralph G. and Elizabeth M. Matthews. The Petitioners seek relief from Section 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 2 feet in lieu of the required 7.5 feet for an open projection (carport replacement). The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits

submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 16th day of November, 1996 that the Petition for Administrative Variance seek relief from Section 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 2 feet in lieu of the required 7.5 feet for an open projection (carport replacement), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The proposed new carport shall remain open on the three exposed sides and shall not be enclosed in any manner.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

November 6, 1996

Mr. & Mrs. Ralph G. Matthews
7813 Fairgreen Road
Baltimore, Maryland 21222

RE: PETITION FOR ADMINISTRATIVE VARIANCE
S/S Fairgreen Road, 321' E of the c/l of Louth Road
(7813 Fairgreen Road)
12th Election District - 7th Councilmanic District
Ralph G. Matthews, et ux - Petitioners
Case No. 97-159-A

Dear Mr. & Mrs. Matthews:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

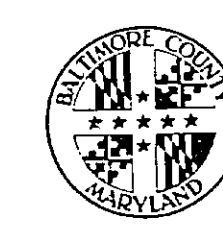
Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

file



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County for the property located at 7813 Fairgreen Rd which is presently zoned DP-5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 301.1A TO ALLOW A NEW OPEN PROJECTION (CARPORT), A SETBACK OF 2' IN LIEU OF REQUIRED 7.5'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty.)
In 1963, because of extremely difficult parking we had a carport built on the side of our home to alleviate the problem. Over the past several years, cars have been struck while parked on our front street. Over the past 33 yrs. the carport deteriorated, to the point it became an eyesore to the neighborhood and a safety hazard to my family, & visitors. The above conditions still exist & my wife & I have since developed a property is to be posted and advertised as prescribed by Zoning Regulations. I or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contact Person/Owner: Ralph G. Matthews
Type or Print Name: Ralph G. Matthews
Signature: Ralph G. Matthews
Address: 7813 Fairgreen Rd
City: Baltimore State: Md Zipcode: 21222
Phone No.: 410-242-2854
Acquiesce for Petitioner: 7813 Fairgreen Rd
Type or Print Name: Ralph G. Matthews
Signature: Ralph G. Matthews
Address: Baltimore State: Md Zipcode: 21222
Phone No.: 410-242-2854
Name, Address and phone number of representative to be contacted: Ralph G. Matthews

A Public Hearing has been requested and/or held in accordance with the Zoning Regulations of Baltimore County, this _____ day of _____, 19____, at _____, Baltimore, Maryland. The subject matter of this petition is set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and the property be required.

ESTIMATED FILING DATE: 10-13-96 DATE: 10-13-96

Printed with Soy-based Ink on Recycled Paper

ITEM #: 159

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/does not presently reside at 7813 Fairgreen Rd

Baltimore Md. 21222

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (include hardship or practical difficulty)

disabilities, causing me to obtain a disability placard from MVA.

The convenience of parking close to the house, and under my carport, is also a necessity.

I'm now seeking a variance, to allow me to replace the carport, & add an additional 4' roof to protect me from the front roof of my home.

Considering crime problems in and about our neighborhood & surrounding areas, we feel much safer being able to park on our property.

We respectfully submit the combined reasons, for your consideration in allowing us a variance, and granting us a permit.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Ralph G. Matthews Elizabeth M. Matthews

Ralph G. Matthews Elizabeth M. Matthews

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 17th day of SEPT, 1996, before me, a Notary Public of the State of Maryland, in and for the County of Baltimore, personally appeared

Ralph G. Matthews and Elizabeth M. Matthews

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal

7-17-96

Charles W. Baker

Notary Public

My Commission Expires: 7-1-99

ZONING DESCRIPTION FOR: 7813 FAIRGREEN RD.

Beginning AT A POINT ON THE SOUTH Side of

FAIRGREEN RD. WHICH IS 50' Wide AT THE

DISTANCE OF 321' EAST OF THE CENTERLINE OF

THE NEAREST IMPROVED INTERSECTING STREET- LOUTH RD.

WHICH IS 50' Wide. BEING LOT # 7 - BLOCK 252

IN THE SUBDIVISION OF DUNDALK, AS

RECORDED IN BALTIMORE COUNTY PLAT BOOK # 13, Folio # 22

CONTAINING 5300 SQUARE FT. OF ACRES, ALSO KNOWN AS

7813 FAIRGREEN ROAD, AND LOCATED IN THE 12th Elec'n

DISTRICT, 7th Councilmanic DISTRICT

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 10-13-96 ACCOUNT: 159-159-A

AMOUNT: \$ 50.00

RECEIVED FROM: Matthews

FOR: 7813 FAIRGREEN RD

VALIDATION ON SIGNATURE OF CASHIER

50.00



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 159 Petitioner: Ralph G. Matthews

Location: 7813 Fairgreen Rd.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Ralph Matthews

ADDRESS: 7813 Fairgreen Rd

Baltimore MD 21222

PHONE NUMBER: 36-2411

CERTIFICATE OF POSTING

RE: Case No.: 97-159-A

Petitioner/Developer:

Mr. Ralph G. Matthews

Date of Hearing/Closing: Oct 28, 1996

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 7813 Fairgreen Rd,
Baltimore, MD 21222

The sign(s) were posted on 10/6/96
(Month, Day, Year)

Sincerely,

Sue W. McKenzie

(Signature of Sign Poster and Date)

Sue W. McKenzie

(Printed Name)

6 Topwood Court

(Address)

Baltimore, MD 21234

(City, State, Zip Code)

(410) 668-8576

(Telephone Number)



Case #159
Mr. Ralph Matthews.

Exhibit A

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 13 Oct 96 CAN:IT

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No. 97-159-A

To allow a new open projection
(carport), a setback of 2' in lieu of
the required 7.5'

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING
CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON

28 Oct 1996
ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

000
post.doc

159



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 10, 1996

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-159-A (Item 159)

7813 Fairgreen Road
5/8 Fairgreen Road, 321' E of 975 South Road
72nd Election District - 7th Councilmanic
Legal Owner(s): Ralph G. Matthews and Elizabeth Matthews
Post by Date: 10/13/96
Closing Date: 10/26/96

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, notification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT
COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT
AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE
FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Arnold Jablon
Director

cc: Ralph and Elizabeth Matthews

Printed with Soybean Ink
on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 14, 1996

Mr. and Mrs. Ralph Matthews
7813 Fairgreen Road
Baltimore, MD 21222

RE: Item No.: 159
Case No.: 97-159-A
Petitioner: Ralph Matthews, et ux

Dear Mr. and Mrs. Matthews:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 10, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/se
Attachment(s)

Printed with Soybean Ink
on Recycled Paper

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5300



Office of the Fire Marshal
(410) 887-4880

DATE: 10/10/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF OCT. 10, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 149, 150, 151, 152, 153, 154,
155, 156, 158, 159 and 160.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: October 10, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 115, 149, 151, 153, 154, 156, 158, and 159

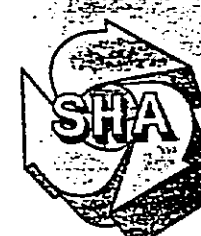
If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: *Jeffrey M. Long*

Division Chief: *Pat Keller*

PK/JL

ITEM115/PZONE/ZAC1



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 159 (C.A.M.)

10.24.96

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 777 - Baltimore, MD 21203-0777

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: October 25, 1996

FROM: Robert M. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for October 21, 1996
Item Nos. 151, 153, 154, 155, 156,
158, 159, and 160

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE33



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	DUNDALK	S.E.
DATE OF PHOTOGRAPHY	SOLLERS POINT	5-F
JANUARY 1986		